

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: Chairman Kendall Van Dyk, on March 24, 2009 at
3:06 P.M., in Room 152 Capitol

ROLL CALL

Members Present:

Rep. Kendall Van Dyk, Chairman (D)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. Dave McAlpin, Vice Chairman (D)
Rep. Dick Barrett (D)
Rep. Paul Beck (D)
Rep. Carlie Boland (D)
Rep. Joel Boniek (R)
Rep. Frosty Boss Ribs (D)
Rep. Jill Cohenour (D)
Rep. Mike Miller (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Scott Sales (R)
Rep. Cary Smith (R)
Rep. Ted Washburn (R)

Members Excused: Rep. JP Pomnichowski (D)

Members Absent: Rep. Jeffery Welborn (R)

Staff Present: Bryce Bennett, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 559; SB 32; SB 336; SB 337
SB 344

EXECUTIVE ACTION ON HB 559

00:02:56 **Motion:** Rep. Hendrick moved that **HB 559 DO PASS.**

00:03:08 **Motion:** Rep. Peterson moved that **HB 559 BE AMENDED.**
EXHIBIT(fih65a01)

Discussion:

00:04:01 Rep. Welborn arrived.

00:04:11 Rep. Peterson

00:04:34 Rep. Cohenour

00:05:12 **Vote:** Motion carried 17-1 by voice vote with Rep.
Cohenour voting no. Rep. Pomnichowski voted by proxy.

00:05:40 **Motion:** Rep. Hendrick moved that **HB 559 DO PASS AS**
AMENDED.

Discussion:

00:05:52 Doug Sternberg, Legislative Services Division (LSD)

00:08:27 Hank Warsech, License Bureau Chief, Department of Fish,
Wildlife, and Parks (FWP)

00:08:37 Mr. Sternberg

00:09:37 Mr. Warsech

00:10:07 Mr. Sternberg

00:10:34 Mr. Warsech

00:10:36 Mr. Sternberg

00:11:26 Mr. Warsech

00:11:56 Mr. Sternberg

00:12:09 Rep. Cohenour

00:12:51 Mr. Warsech

00:12:58 Rep. Cohenour

00:13:01 Mr. Sternberg

00:13:21 Rep. Hendrick

00:13:35 Mr. Sternberg

00:13:44 Rep. Miller

00:13:48 Mr. Sternberg

00:13:51 Mr. Warsech

00:14:06 Mr. Sternberg
00:14:10 Chairman Van Dyk
00:14:49 Mr. Sternberg

00:14:54 **Motion:** Rep. Washburn moved that **HB 559 BE AMENDED.**
EXHIBIT(fih65a02)

Discussion:

00:15:08 Rep. Washburn
00:16:05 Chairman Van Dyk

00:16:57 **Vote:** Motion failed 8-10 by roll call vote with
Rep. Boniek, Rep. Hendrick, Rep. O'Hara, Rep. Peterson,
Rep. Sales, Rep. Smith, Rep. Washburn, and Rep. Welborn
voting aye. Rep. Pomnichowski voted by proxy.

Discussion:

00:18:00 Rep. Washburn
00:18:17 Rep. Peterson
00:18:33 Rep. Miller
00:18:46 Rep. Phillips
00:19:00 Rep. Peterson

00:19:16 **Vote:** Motion failed 1-17 by roll call vote with
Rep. Peterson voting aye. Rep. Pomnichowski voted by
proxy.

00:20:09 **Motion:** Rep. Hendrick moved that **HB 559 BE TABLED.**

00:20:15 **Vote:** Motion passed 17-1 by voice vote with
Rep. Peterson voting no. Rep. Pomnichowski voted by
proxy.

EXECUTIVE ACTION ON SB 32

00:20:51 **Motion:** Rep. Hendrick moved that **SB 32 BE CONCURRED**
IN.

Discussion:

00:21:00 Rep. McAlpin
00:21:19 Rep. Washburn

00:21:48 **Vote:** Motion failed 6-12 by voice vote with
Rep. Boniek, Rep. Hendrick, Rep. Peterson, Rep. Sales,
Rep. Smith and Rep. Welborn voting aye.
Rep. Pomnichowski voted by proxy.

00:22:45 **Motion:** Rep. McAlpin moved that **SB 32 BE TABLED.**

00:22:51 **Vote:** Motion carried 16-2 by voice vote with
Rep. Boniek and Rep. Welborn voting no.
Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON SB 336

00:23:37 **Motion:** Rep. Hendrick moved that **SB 336 BE CONCURRED
IN.**

00:24:21 **Motion:** Rep. Washburn moved that **SB 336 BE AMENDED.
[EXHIBIT\(fih65a03\)](#)**

Discussion:

00:24:32 Rep. Washburn
00:25:29 Rep. McAlpin
00:25:40 Rep. Washburn
00:26:00 Rep. McAlpin
00:26:58 Rep. Cohenour
00:28:10 Rep. Peterson
00:28:41 Rep. Miller
00:29:00 Rep. Washburn

00:29:15 **Vote:** Motion failed 4-14 by roll call vote with
Rep. Hendrick, Rep. Miller, Rep. Washburn, and Rep.
Welborn voting aye. Rep. Pomnichowski voted by proxy.

Discussion:

00:30:22 Rep. Sales
00:31:04 Rep. Cohenour
00:32:06 Rep. Phillips
00:32:26 Rep. Washburn
00:32:48 Rep. Phillips
00:33:00 Rep. Boniek
00:33:27 Rep. Miller
00:33:52 Rep. Welborn
00:34:10 Rep. Boniek
00:35:38 Rep. Hendrick
00:36:00 Rep. Boniek

00:36:05 Chairman Van Dyk

00:37:57 **Vote:** Motion failed 3-15 by roll call vote with Rep. Miller, Rep. Peterson, and Rep. Smith voting aye. Rep. Pomnichowski voted by proxy.

00:38:57 **Motion:** Rep. McAlpin moved that **SB 336 BE TABLED.**

00:39:01 **Vote:** Motion carried unanimously by voice vote. Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON SB 337

00:39:26 **Motion:** Rep. Hendrick moved that **SB 337 BE CONCURRED IN.**

Discussion:

00:39:39 Bob Lane, Chief Legal Counsel, FWP
EXHIBIT(fih65a04)

00:40:05 Rep. Phillips

00:41:29 Rep. Beck

00:42:51 Rep. Miller

00:42:53 Rep. Pomnichowski arrived.

00:43:11 Rep. Peterson

00:44:21 Rep. Washburn

00:44:58 Rep. Phillips

00:46:02 Rep. Boniek

00:50:21 Rep. Smith

00:51:34 **Vote:** Motion failed 6-12 by roll call vote with Rep. Boniek, Rep. Hendrick, Rep. Peterson, Rep. Sales, Rep. Smith, and Rep. Welborn voting aye.

00:52:33 **Motion:** Rep. McAlpin moved that **SB 337 BE TABLED.**

00:52:34 **Vote:** Motion passed 17-1 by voice vote with Rep. Hendrick voting no.

EXECUTIVE ACTION ON SB 344

00:53:03 **Motion:** Rep. Hendrick moved that **SB 344 BE CONCURRED IN.**

00:53:31 **Motion:** Rep. Phillips moved that **SB 344 BE AMENDED.**
EXHIBIT(fih65a05)

Discussion:

00:54:38 Rep. O'Hara
00:54:49 Rep. Phillips
00:55:01 Rep. Miller
00:55:20 Rep. Phillips
00:55:30 Rep. McAlpin
00:55:40 Rep. Phillips

00:56:03 **Vote:** Motion carried unanimously by voice vote.

00:56:31 **Motion:** Rep. Hendrick moved that **SB 344 BE CONCURRED**
IN AS AMENDED.

Discussion:

00:56:46 Mr. Sternberg

00:57:02 **Motion:** Rep. Hendrick moved that **SB 344 BE AMENDED.**
EXHIBIT(fih65a06)

Discussion:

00:57:14 Mr. Sternberg

00:59:25 **Vote:** Motion carried unanimously by voice vote.

00:59:38 **Motion:** Rep. Hendrick moved that **SB 344 BE CONCURRED**
IN AS AMENDED.

Discussion:

00:59:48 Rep. Cohenour
01:01:24 Rep. Hendrick
01:02:38 Rep. Cohenour
01:03:18 Rep. Barrett
01:04:11 Rep. Phillips
01:05:31 Rep. Beck
01:06:11 Rep. Pomnichowski
01:06:35 Mr. Sternberg
01:07:01 Rep. Pomnichowski
01:07:35 Mr. Sternberg
01:08:45 Rep. Washburn
01:09:10 Rep. Boniek
01:09:52 Rep. Miller
01:10:10 Mr. Sternberg

01:11:53 Rep. Miller
01:12:09 Mr. Sternberg
01:13:00 Rep. Boniek
01:13:04 Rep. Barrett
01:13:30 Rep. Phillips

01:14:15 **Substitute Motion:** Rep. Washburn made a substitute motion that **SB 344 BE TABLED.**

01:15:35 **Vote:** Motion carried 12-6 by roll call vote with Rep. Beck, Rep. Hendrick, Rep. Peterson, Rep. Phillips, Rep. Sales, and Rep. Welborn voting no.

ADJOURNMENT

01:15:43 Adjournment: 4:21 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([fih65aad.pdf](#))